Development of Amendments to Rules Concerning Operations at ISG Burns Harbor LLC / Mittal Steel USA Burns Harbor

LSA Document #07-88

Overview

This rulemaking proposes to amend 326 IAC 6-6-5 and 326 IAC 7-4-14.

ISG Burns Harbor's fugitive particulate matter plan in 326 IAC 6-6-5 has been effective since 1984 and proscribes dust suppression activities, application frequencies, and rates. This rule also includes a map depicting the length and configuration of the roads at the ISG Burns Harbor LLC property and requires the use of a tractor mounted broom for controlling fugitive particulate matter. The section of the draft rule amending 326 IAC 6-6-5 replaces the proscribed fugitive particulate matter plan with a requirement to submit a control plan for IDEM approval, as is required by 326 IAC 6-5 for other fugitive particulate matter sources. Proposed amendments to 326 IAC 6-6-5 would add criteria for the contents of a fugitive particulate matter plan, that allows for more flexibility in the design of fugitive particulate matter control strategies as technology and plant road use and configurations change.

326 IAC 7-4-14 lists sulfur dioxide (SO_2) emission limits for sources at ISG Burns Harbor LLC. This rule established an SO_2 limit for the facility's blast furnace gas flare. The SO_2 emission limits established in this rule for processes using the blast furnace gas account for all of the available blast furnace gas; therefore, the emission limit for the blast furnace gas flare is redundant and unnecessary to assure continued protection of the National Ambient Air Quality Standard (NAAQS) for SO_2 in Porter County. Removing the SO_2 blast furnace gas flare limit from 326 IAC 7-4-14 will not result in or allow an increase in actual SO_2 emissions.

Citations Affected

Amends 326 IAC 6-6-5 and 326 IAC 7-4-14.

Affected Persons

Notification of this rule has been sent to all affected parties identified during the course of this rulemaking.

Reasons for the Rule

The section of the draft rule amending 326 IAC 6-6-5 will provide ISG Burns Harbor LLC with increased flexibility to achieve equivalent or improved fugitive particulate matter control.

The section of the draft rule amending 326 IAC 7-4-14 will delete an SO_2 blast furnace gas flare emission limit that is unnecessary to assure compliance with the SO_2 NAAQS.

Economic Impact of the Rule

ISG Burns Harbor LLC anticipates a cost savings due to amendments to 326 IAC 6-6-5. The draft rule provides ISG Burns Harbor LLC with the ability to structure a fugitive particulate matter control plan that is both more efficient and more effective at reducing fugitive particulate matter emissions than the existing rule.

ISG Burns Harbor LLC will benefit from the proposed amendment to 326 IAC 7-4-14 that would deleting the blast furnace gas flare SO_2 emission limit. The removal of this limit eliminates the requirement that ISG Burns Harbor LLC certify compliance with the limit, a potentially significant burden that is technologically infeasible and which is not imposed on other steelmaking facilities in Indiana.

Benefits of the Rule

The draft amendments to 326 IAC 6-6-5 specify the components of an acceptable fugitive particulate matter control plan and provide the company flexibility in structuring its fugitive particulate matter emission control plan while maintaining or improving air quality.

Deleting the blast furnace gas flare SO_2 emission limit from 326 IAC 7-4-14 will benefit ISG Burns Harbor LLC by removing an emission limitation for which it is technologically infeasible to demonstrate compliance and therefore not possible to certify compliance and that is not required of similarly situated units at other steel mill.

Description of the Rulemaking Project

Amendment to 326 IAC 6-6-5

The fugitive dust control strategy outlined in 326 IAC 6-6-5 has been in effect since 1984 and addresses fugitive particulate matter emissions from roads and coal storage piles at the ISG Burns Harbor LLC steelmaking plant. This rulemaking would replace the proscribed fugitive particulate matter plan with a requirement to submit a control plan for IDEM approval, as is required by 326 IAC 6-5 for other fugitive particulate matter sources. The draft rule contains criteria for the contents of the fugitive particulate matter plan, but allows for more flexibility in the design of fugitive particulate matter control strategies as technology and plant road use and configurations change.

Amendment to 326 IAC 7-4-14

Blast furnace gas is a byproduct of the steelmaking process generated at the blast furnace. ISG Burns Harbor LLC cleans the blast furnace gas generated at their facility and uses it as a fuel in the blast furnace stoves, coke ovens, and the power station boilers. The blast furnace gas flare is a control device used to prevent excess pressure from forming in the blast furnace gas supply line. The blast furnace gas flare is used when excess gas is produced beyond the capacity of the blast furnace and combustion sources to consume it. 326 IAC 7-4-14 establishes a 0.07 lbs/MMBtu SO_2 emission limit for ISG Burns Harbor LLC's blast furnace flare.

Because the SO_2 emission limits established in this rule for the processes using the blast furnace gas account for all of the available blast furnace gas, the emission limit for the blast furnace gas flare is redundant and unnecessary to assure continued protection of the NAAQS for SO_2 in Porter County. Removing the SO_2 blast furnace gas flare limit will not result in or allow any increase in actual SO_2 emissions. In the section of the draft rule amending 326 IAC 7-4-14, IDEM is proposing that the blast furnace gas flare SO_2 emission limit be deleted.

Scheduled Hearings

First Public Hearing: October 3, 2007 at 1:00 p.m. at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room B, Indianapolis, Indiana.

Consideration of Factors Outlined in Indiana Code 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account the following:

(1) All existing physical conditions and the character of the area affected.

(2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.

(3) Zoning classifications.

(4) The nature of the existing air quality or existing water quality, as appropriate.

(5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.

(6) Economic reasonableness of measuring or reducing any particular type of pollution.

(7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to:

(A) human, plant, animal, or aquatic life; or

(B) the reasonable enjoyment of life and property.

Consistency with Federal Requirements

The amended rules are consistent with federal rules and guidance.

Rulemaking Process

The first step in the rulemaking process is a first notice published in the *Indiana Register*. This includes a discussion of issues and opens a first comment period. The second notice is then published which contains the comments and the departments responses from the first comment period, a notice of first meeting/hearing, and the draft rule. The Air Pollution Control Board holds the first meeting/hearing and public comments are heard. The proposed rule is published in the *Indiana Register* after preliminary adoption along with a notice of second meeting/hearing. If the proposed rule is substantively different from the draft rule, a third comment period is required. The second public meeting/hearing is held and public comments are heard. Once final adoption occurs, the rule is reviewed for form and legality by the Attorney General, signed by the Governor, and becomes effective 30 days after filing with the Legislative Services.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Sean Gorman, Rule Development Section, Office of Air Quality, (317) 234-3533 or (800) 451-6027 (in Indiana).